WEIL, GOTSHAL & MANGES LLP 767 Fifth Avenue New York, New York 10153 Telephone: (212) 310-8000 Facsimile: (212) 310-8007 Ray C. Schrock, P.C. Garrett A. Fail Sunny Singh Jared R. Friedmann

Attorneys for Debtors and Debtors in Possession

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re

Chapter 11 SEARS HOLDINGS CORPORATION, et al.,

Case No. 18-23538 (SHL)

Debtors.1 (Jointly Administered)

## NOTICE OF AGENDA OF MATTERS SCHEDULED FOR HEARING TO BE CONDUCTED THROUGH ZOOM ON NOVEMBER 3, 2022 AT 2:00 P.M.

United States Bankruptcy Court for the Southern District of New York, Location of Hearing: before the Honorable Sean H. Lane, United States Bankruptcy Judge, 300

Quarropas Street, White Plains, New York 10601-4140

<sup>&</sup>lt;sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: Sears Holdings Corporation (0798); Kmart Holding Corporation (3116); Kmart Operations LLC (6546); Sears Operations LLC (4331); Sears, Roebuck and Co. (0680); ServiceLive Inc. (6774); SHC Licensed Business LLC (3718); A&E Factory Service, LLC (6695); A&E Home Delivery, LLC (0205); A&E Lawn & Garden, LLC (5028); A&E Signature Service, LLC (0204); FBA Holdings Inc. (6537); Innovel Solutions, Inc. (7180); Kmart Corporation (9500); MaxServ, Inc. (7626); Private Brands, Ltd. (4022); Sears Development Co. (6028); Sears Holdings Management Corporation (2148); Sears Home & Business Franchises, Inc. (6742); Sears Home Improvement Products, Inc. (8591); Sears Insurance Services, L.L.C. (7182); Sears Procurement Services, Inc. (2859); Sears Protection Company (1250); Sears Protection Company (PR) Inc. (4861); Sears Roebuck Acceptance Corp. (0535); SR – Rover de Puerto Rico, LLC (f/k/a Sears, Roebuck de Puerto Rico, Inc.) (3626); SYW Relay LLC (1870); Wally Labs LLC (None); SHC Promotions LLC (9626); Big Beaver of Florida Development, LLC (None); California Builder Appliances, Inc. (6327); Florida Builder Appliances, Inc. (9133); KBL Holding Inc. (1295); KLC, Inc. (0839); Kmart of Michigan, Inc. (1696); Kmart of Washington LLC (8898); Kmart Stores of Illinois LLC (8897); Kmart Stores of Texas LLC (8915); MyGofer LLC (5531); Rover Brands Business Unit, LLC (f/k/a Sears Brands Business Unit Corporation) (4658); Sears Holdings Publishing Company, LLC. (5554); Sears Protection Company (Florida), L.L.C. (4239); SHC Desert Springs, LLC (None); SOE, Inc. (9616); StarWest, LLC (5379); STI Merchandising, Inc. (0188); Troy Coolidge No. 13, LLC (None); BlueLight.com, Inc. (7034); Sears Brands, L.L.C. (4664); Sears Buying Services, Inc. (6533); Kmart.com LLC (9022); Sears Brands Management Corporation (5365); and SRe Holding Corporation (4816). The location of the Debtors' corporate headquarters is c/o M-III Partners, LP, 1700 Broadway, 19th Floor, New York, NY 10019.

PLEASE TAKE NOTICE that the United States Bankruptcy Court for the Southern District of New York (the "Court") has entered General Order M-543 to protect public health, and in recognition of the national emergency that was declared by the President of the United States on March 13, 2020, the Court provided that all conferences scheduled to be held in the courthouse comprising the White Plains Division of the Bankruptcy Court will be conducted through Zoom. All attorneys, witnesses and parties wishing to appear at, or attend, a telephonic hearing or conference must contact the Court at (914) 467-7250 to register for attendance at the Hearing. Pro se parties may participate in the hearing free of charge using Zoom.

## I. FEE MATTER:

1. Second Final Joint Application of Paul E. Harner, as Fee Examiner and Ballard Spahr LLP, as Counsel to the Fee Examiner, for Allowance of Compensation for Professional Services Rendered and Reimbursement of Actual and Necessary Expenses Incurred from July 1, 2022 through August 31, 2022 [ECF No. 10648]

Response Deadline: October 27, 2022 at 4:00 p.m. (Eastern Time)

Responses Filed: None.

### Related Document:

A. Notice of Hearing [ECF No. 10669]

Status: This matter is going forward on an uncontested basis.

### II. CONTESTED MATTER:

2. Motion of Chubb Companies for Entry of an Order (I) Ruling that Default Judgement, Settlement Agreements and State Court Orders are Void *Ab Initio* Pursuant to 11 U.S.C. §§ 105(a) and 362(a) and Without Effect; and (II) Granting Related Relief [ECF No. 10661]

Response Deadline: October 17, 2022 at 4:00 p.m. (Eastern Time)

#### Responses Filed:

- A. Objection of Shelley S. Hawkins [ECF No. 10681]
- B. Reply of Chubb Companies in Support [ECF No. 10696]

Related Documents: None.

Status: This matter is going forward on a contested basis.

## III. <u>ADJOURNED MATTERS</u>:

3. Motion of the Official Committee of Unsecured Creditors for Entry of an Order Pursuant to Bankruptcy Code Sections 105, 362, 364 and 1142 and Bankruptcy Rules 3020(d), 4001 and 9014 Authorizing Entry by the Debtors' Estates into the Litigation Funding Arrangement with Bench Walk 21p, L.P. [ECF No. 10407]

Response Deadline: July 20, 2022 at 4:00 p.m. (Eastern Time)

# Responses Filed:

- A. Limited Objection of Relator Carl Ireland [ECF No. 10484]
- B. Objection of Mien Co. Ltd., et al. [ECF No. 10485]
- C. Objection of Wilmington Trust, NA [ECF No. 10486]
- D. Response and Reservation of Rights of Whitebox Multi-Strategy Partners, LP [ECF No. 10489]
- E. Objection of Orient Craft Limited [ECF No. 10490]

### Related Documents:

- F. Notice of Continued Assignment [ECF No. 10513]
- G. Notice of Adjournment of Hearing [ECF No. 10531]

Status: This matter has been adjourned to a date to be determined.

4. Debtors' (A) Objection to Claim 26186 of Texas Comptroller of Public Accounts on Behalf of the State of Texas and Local Sales Tax Jurisdictions, and (B) Motion for Turnover of Property of the Estate and Application of Funds Owed to Debtors in Satisfaction of Claims 20615, 26368, 20373, and 20614, or, in the Alternative, (C) Motion for an Order, Pursuant to Sections 105(a) and 502(c) of the Bankruptcy Code, Estimating Claims [ECF No. 10461]

Response Deadline: June 17, 2022 at 4:00 p.m. (Eastern Time)

Responses Filed: None.

Related Documents: None.

Status: This matter is has been adjourned to a date to be determined.

5. Motion to be Listed as a Priority Debt, Demand Acknowledgment of Employment and Type of Work Performed [ECF No. 10487]

Response Deadline: June 22, 2022 at 4:00 p.m. (Eastern Time)

Response Filed:

A. Debtors' Objection [ECF No. 10496]

Related Documents: None.

Status: This matter is has been adjourned to a date to be determined.

Dated: November 2, 2022 New York, New York

/s/ Garrett A. Fail

WEIL, GOTSHAL & MANGES LLP

767 Fifth Avenue

New York, New York 10153 Telephone: (212) 310-8000 Facsimile: (212) 310-8007

Ray C. Schrock, P.C.

Garrett A. Fail Sunny Singh

Jared R. Friedmann

Attorneys for Debtors and Debtors in Possession